



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, ACTING DIRECTOR

FACT SHEET Short-Term & Episodic Generators (October 2022)

This document is designed to provide general information only. It is not intended to replace, interpret, or modify the laws, rules, or regulations it addresses.

What is a Short-Term Generator?

A short-term generator is an entity that is not normally a generator of Hazardous Waste ("HW") but has a one-time, non-recurring, temporary event that is not related to normal operational processes or activities. The entity generates HW for a limited time, typically 90 days or less, and then ceases generation. Examples of short-term generation include:

- One-time highway bridge waste generation.
- Underground storage tank removals.
- Generation of off-specification or expired chemicals at a site that normally doesn't generate HW.
- Remediation of spill clean-up at sites with no previous USEPA identification number or at sites not owned by the business that caused the spill, such as a transportation related spill.
- Site of production process decommissions by a new operator.

These sites typically would have no USEPA ID number or would have changed their generator status to Non-Generator prior to the event. The Notification of Hazardous Waste Activity Form 8700-12 must be submitted to obtain or reactivate a USEPA number. and Question 18 must be completed to include a description of the event and anticipated duration.

Short-term generators are not relieved of any regulatory requirements tied to the volume of HW generated. Consequently, all generator requirements for the level of generator (very small quantity, small quantity, large quantity), including notification, manifesting, reporting, contingency planning, and training, are applicable.

What is an Episodic Generator?

Episodic generators may be Very Small Quantity Generators ("VSQG") or Small Quantity Generators ("SQG") that regularly generate HW as part of their operation but could be elevated to a higher generator category (SQG or large quantity generator{LQG}) as a result of a planned or unplanned generation event. To avoid regulation as a higher generator category, the HW generation must be an activity that does not normally occur during a generator's operation. The event, including removal of the HW, must last no more than 60 calendar days.

What is a Planned or Unplanned Episodic Event?

Planned episodic events are events for which the generator planned and prepared, and include

- Planned short-term demolition event

- Planned tank clean-outs
- Planned short-term construction projects
- Planned short-term site remediation
- Planned equipment maintenance during plant shutdowns
- Planned removal of excess inventory (cannot be considered unplanned because it is a result of decisions made by the generator in the regular course of business)
- Multiple planned events, provided those projects are initiated and completed within a single 60-day window and are all described on the 8700-12 form.

Unplanned episodic events are those the generator did not plan or reasonably expect to occur, such as

- Unplanned production process upsets or equipment failure, except as described below
- Unplanned product recalls
- Unplanned spills or damage due to “acts of nature” such as tornado, hurricane, flood.

The following are NOT episodic events:

- Increased waste related to increased production.
- An accident or spill due to operator error, abuse, or lack of maintenance (irresponsible management of hazardous waste/materials will not be rewarded by providing exemptions).
- Any activity that is part of the normal course of business.
- Discovering at the end of the month that the monthly generation thresholds have been exceeded.

A VSQG or SQG that exceeds the generator status threshold due to an event that does not qualify as an episodic event must submit the USEPA 8700-12 Form to change their generator status. This needs to be done PRIOR to shipping the waste off-site, and the generator must follow all requirements of the higher threshold generator for as long as the waste is on-site.

What are the requirements for a generator that experiences an Episodic Event?

All the following conditions must be met for the event to constitute an episodic event:

1. Episodic events, regardless of whether planned or unplanned, are limited to one per calendar year without Illinois EPA approval. The generator must obtain written approval from the Illinois EPA if there is a second event, which must be unplanned if the first is planned, or must be planned if the first is unplanned.
2. Notify IEPA within the required time frames and provide all the required information.
3. Obtain USEPA and IEPA ID numbers BEFORE initiating the shipment of generated waste.
4. Comply with applicable HW management requirements during the time the HW is accumulated on-site.
5. Use a HW manifest, HW transporter, RCRA-designated facility.
6. Complete and maintain the required records on-site for 3 years after the completion date of the episodic event – this is critical to enable effective and credible oversight.

If all the requirements for an episodic event are met, the generator may continue in accordance with their existing generator requirements.

ID Number: Most sites that may have an event that meets the definition of an episodic event will already have an ID number as a VSQG or SQG, but if not, one must be obtained before initiating the offsite shipment of the HW.

Notification Requirements: Generators are required to provide 30 days advance written notice to the Illinois EPA for planned events, and 72-hour notice by phone, email, or fax, of the beginning of an unplanned event, followed by submittal of the USEPA Notification of Hazardous Waste Activity Form 8700-12. Failure to provide a timely notification means the exemption cannot be used and the requirements of the higher threshold generator must be followed. The start date for an unplanned event is the first day the HW is generated, regardless of the date an analysis of the HW is completed. If the HW generation does not start on the specified start date for a planned event, the generator must still comply with the specified end date. If testing of the HW has not been completed at time of the submittal, the best estimate should be supplied and then submit a modification when testing is complete.

On-Site Management: Waste must be accumulated on-site in containers and tanks (no drip pads or in containment buildings) labeled "Episodic Hazardous Waste," identify the hazards, and have the start date of the event.

Additional Episodic Events: Federal and Illinois law allow for no more than two episodic events per calendar year, one planned and one unplanned. *However*, if there is a second event in a calendar year, the generator must receive written approval from the IEPA to consider the second event as an episodic event, and thus allow the exemption to be used. They must submit both the USEPA Notification Form and the Illinois-specific form developed for this situation to the Illinois EPA. The generator must obtain the approval letter from IEPA before they ship the HW off-site. Failure to obtain written approval for a second episodic event subjects the generator to the higher generator category standards.

Links to the forms referenced in this Fact Sheet

[Notification of Regulated Waste Activity Form \(USEPA Form 8700-12\) Instructions and Forms Booklet](#)

[Additional Episodic Event Notification Addendum](#)

For first or second events, send the forms to
Illinois Environmental Protection Agency
Bureau of Land #24
PO Box 19276
Springfield IL 62794

For the 72-hour notice for unplanned events, you may fax to 217-782-9308, telephone 217-785-3950 or 217-524-0553, or email EPA.WasteReporting@illinois.gov .